

Message Text

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70

ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-06 EA-06 NEA-09 RSC-01

CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00 EB-07 INR-07

NSAE-00 FAA-00 PM-03 H-01 L-02 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 /103 W
----- 127637

R 221934Z JAN 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 6085

INFO AMEMBASSY LONDON

AMCONSUL MONTREAL

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MONTREAL FOR USREP TO ICAO

E.O. 11652: N/A

TAGS: EAIR, PINS, FR

SUBJECT: FRANCE TO ADHERE TO MONTREAL CONVENTION

1. WE RECEIVED ON JANUARY 20 A NOTE DATED JAN. 15 FROM FOREIGN MINISTRY IN RESPONSE TO OUR NOTE OF AUGUST 23, 1974 INFORMING GOF OF NEW USG ANTI-HIJACKING LEGISLATION PURSUANT STATE 178085.

2. THRUST OF FRENCH RESPONSE IS THAT RIGHTS AND LAWS OF ALL STATES MUST BE RESPECTED AND GOF THUS EXPECTS THAT IN IMPLEMENTING US LEGISLATION USG WILL RESPECT GOF RIGHTS UNDER CHICAGO CONVENTION, INTERNATIONAL AIR TRANSIT AGREEMENT, AND US-FRANCE CIVAIR BILATERAL. ALSO, ANY DIFFERENCES REGARDING INTERPRETATION OR IMPLEMENTATION OF THOSE AGREEMENTS MUST BE RESOLVED IN ACCORDANCE PROCEDURES LAID DOWN IN THOSE AGREEMENTS, AND IN PARTICULAR US LEGISLATION CANNOT HAVE EFFECT OF MODIFYING SCOPE OF ANNEXES TO CHICAGO CONVENTION AS SPELLED OUT

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IN ARTICLES 37 AND 38 OF THAT CONVENTION.

3. AFTER BRIEFLY OUTLINING GOF EFFORTS TO SECURE AMENDMENT CHICAGO CONVENTION TO INCLUDE CIVIL AIR SECURITY PROVISIONS, NOTE ADDS LACONICALLY THAT GOF "ENVISAGES ADHERING TO MONTREAL CONVENTION IN THE NEAR FUTURE".

4. WE FOLLOWED UP WITH MME LA BATUT OF INTERNATIONAL ORGANIZATIONS SECTION OF FOREIGN MINISTRY, WHO WAS DRAFTER OF THE NOTE. SHE WAS SURPRISED THAT WE HAD RECEIVED NOTE SO LATE AND SAID THAT IT HAD BEEN READY FOR TRANSMITTAL LAST WEEK (I.E., PRIOR TO AND NOT INFLUENCED BY JANUARY 13 TERRORIST ATTACK AT ORLY.) WHEN WE ASKED WHEN GOF MIGHT TAKE ACTION TO ADHERE TO MONTREAL CONVENTION, SHE SAID THAT PREPARATORY WORK HAD BEEN COMPLETED SOME TIME AGO BUT THERE HAD BEEN DELAY IN RECEIPT OF CERTIFIED TRUE PRINTED COPIES OF CONVENTION THAT GOF HAD REQUESTED OF BRITISH GOVERNMENT AND WHICH WERE REQUIRED FOR GOF RATIFICATION PROCEDURE. SHE HOPED THAT THESE WOULD BE RECEIVED SOON. SHE SAID THAT MODIFICATIONS TO FRENCH DOMESTIC LEGISLATION TO PERMIT IMPLEMENTATION IN FRANCE OF PROVISIONS OF MONTREAL CONVENTION WERE ALSO READY, AND THESE WOULD BE ENACTED SIMULTANEOUSLY WITH FORMAL GOF ADHESION TO MONTREAL CONVENTION.

5. COMMENT: IT IS A BIT IRONIC THAT AFTER THE GOF HAD FINALLY TAKEN DECISION TO ADHERE TO MONTREAL CONVENTION AFTER ALL OUR PAST EFFORTS TO BRING THEM TO THAT END, INTERIOR MINISTER PONIATOWSKI ON JANUARY 21, IN SPEAKING WITH PRESS ABOUT RECENT TERRORIST INCIDENT AT ORLY, EXPRESSED VIEW THAT THERE SHOULD BE COLLECTIVE ACTION OF STATES IN APPLYING SANCTIONS PERMITTING TRIAL OF TERRORISTS IN COUNTRY WHERE THEY HAD CARRIED OUT TERRORIST ACTS.

6. TEXT OF NOTE AND INFORMAL TRANSLATION BEING AIR-POUCHED.
RUSH

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Margaret P. Grafeld
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